

APPLICANT(S): SREEKUMARAN NAIR, Appukuttan, Nair et al.
SERIAL NO.: 10/586,603
FILED: July 20, 2006
Page 4

REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-6 are pending. Claims 5 and 6 have been withdrawn. Claims 1-4 have been rejected.

Claims 1, 3 and 4 have been amended.

New claims 7-9 have been added in order to further define embodiments of the Applicants consider to be the invention.

Applicants respectfully assert that no new matter has been added.

The Telephone Interview

Initially, Applicants wish to thank the Examiner, Matthew O. Savage, for granting and attending the telephone interview, with Applicants' Representative, Caleb Pollack, Reg. No. 37,912 and Ms. Irit Gordon on March 4, 2010. The Examiner agreed that a claim to a process of making a composition including the steps of claim 1 would be allowable over the prior art of record. Further, the Examiner agreed to permit a shift from composition claims to process claims.

CLAIM REJECTIONS

35 U.S.C. § 112 Rejection

In the Office Action, the Examiner rejected claims 1-4 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

APPLICANT(S): SREEKUMARAN NAIR, Appukuttan, Nair et al.
SERIAL NO.: 10/586,603
FILED: July 20, 2006
Page 5

While Applicants assert that the claims prior to being amended complied with 35 USC 112, Applicants have amended claim 1 to read "up to 150nm".

Applicants respectfully assert that this amendment renders claims 1, 3 and 4 proper under 35 USC 112 and request that the 35 USC 112 rejection be withdrawn.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1 and 3 under 35 U.S.C. § 103(a), as being unpatentable over Heinig Jr. et al. (US pat. 6,758,345). The Examiner further rejected claims 1-4 under 35 U.S.C. § 103(a), as being unpatentable over Yan (US Pat. 5,322,628).

Applicants respectfully traverse the U.S.C. § 103(a) rejections of claims 1-4.

Applicants assert and, as discussed above, the Examiner agrees, that none of the cited documents teach or suggest the claims as currently amended. Further, Applicants note that on page 4 of the Office Action the Examiner agrees that the process steps added to claim 1 (as pending prior to the current amendments) is not shown in the prior art.

It is respectfully submitted that neither Heinig nor Yan alone or in combination teaches or suggests the process described in the amended claim 1.

Accordingly, Applicants respectfully assert that amended independent claim 1 is allowable. Each of claims 3-4 and 7-9 depends from, directly or indirectly, claim 1, and therefore include all the limitations of that claim. Therefore, Applicants respectfully assert that claims 3-4 and 7-9 are likewise allowable.

Applicants request that the Examiner withdraw the rejection of the claims under 35 U.S.C. § 103(a).

Conclusion

In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

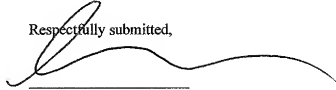
Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone

APPLICANT(S): SREEKUMARAN NAIR, Appukuttan, Nair et al.
SERIAL NO.: 10/586,603
FILED: July 20, 2006
Page 6

number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



Caleb Pollack
Attorney/Agent for Applicant(s)
Registration No. 37,912

Dated: May 17, 2010

Pearl Cohen Zedek Latzer, LLP
1500 Broadway, 12th Floor
New York, New York 10036
Tel: (646) 878-0800
Fax: (646) 878-0801